

accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the record in this case, the court finds no clear error and, thus, adopts the Report (ECF No. 9) and incorporates it herein. Therefore, the complaint is **DISMISSED** as to Evans Correctional Institution, without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

August 4, 2014
Anderson, South Carolina